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February 14, 2022

Hon. J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Kaul/Basch v. Intercontinental Exchange, et al.
Docket No. 21-cv-6992(JPO)

Dear Judge Oetken:

This office represents defendant, Dr. Robert Heary, in the above matter.

I was copied on plaintiff Kaul's letter to Your Honor dated February 11, 2022 filed February 14, 2022 (Doc 165). Plaintiff's letter encloses a so-called "statement" of a Mr. Capello. Although the "statement" has no direct impact on our client, Dr. Heary, we object to Mr. Kaul writing to Your Honor and submitting any communication which is not part of a motion. The so-called "statement" is hearsay and incompetent for any purpose and should be stricken from the record.

Respectfully yours,

Edward G. Sponzilli

EGS:ds



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